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**TIMOTHY FELDMAN**

Vice President, Government Affairs

July 9, 1997

Office of the Secretary  
Federal Communications Commission  
Washington, DC 20554

In the Matter of

Amendment of Parts 2, 15, 18 and Other	)	ET Docket No. 97-94
Parts of the Commission's Rules to	)	
Simplify and Streamline the Equipment	)	
Authorization Process for Radio	)	
Frequency Equipment	)	

# **Introduction**

The National Electrical Manufacturer's Association (NEMA) is pleased to submit these comments on behalf of the NEMA Lamp and Ballast Sections of the Lighting Systems Division.

NEMA is the largest trade association in the United States representing the interests of electroindustry manufacturers. Founded in 1926 and headquartered in Rosslyn, Virginia, its 575 member companies manufacture products used in the generation, transmission and distribution, control, and end-use of electricity. Annual shipments of these products total over \$100 billion.

NEMA's mission is to improve the competitiveness of its member companies by providing services of high quality that will impact positively on standards and conformity assessment, legislation, global business trends and corporate leadership.

The NEMA Lamp and Ballast Sections applaud the Commission's proactive stance in its desire to simplify equipment authorization procedures in areas where there is a proven track record of compliance and little demonstrated interference. Specifically, the interests

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NEMA Comments on ET Docket 97-94

of the NEMA Lamp and Ballast Sections relate to the equipment authorization procedures for Part 18 ISM lighting devices, also known as "RF lighting devices".

### **General Comments Relating to Part 18 RF Lighting Devices**

For non-consumer RF lighting devices we agree with the Commission's proposal to maintain the verification process and note that this process has worked well over the years. It provides reasonable flexibility and is non-burdensome to the manufacturer. History indicates it has also been effective in preventing interference incidents.

The NEMA Lamp and Ballast Sections support a dual track for consumer RF lighting devices. Since it will take some time for the accredited test labs to be developed as called for in the Declaration of Conformity (DoC) procedure, the existing certification procedure must be maintained as an option for manufacturers to use. It provides flexibility to continue to use test sites that may have good expertise in RF lighting device measurement but that may not be able to become accredited until such programs are widely developed by NIST or the American Association for Laboratory Accreditation. It is also not yet known how such accreditation programs may affect the cost structure associated with testing, or, in the near term the timeliness of obtaining test results.

The Lamp and Ballast Sections fully agree with the Commission's rationale to extend the DoC procedure to consumer RF lighting devices. Once in operation, the DoC procedure will shorten the time it takes to introduce RF lighting devices. Equally, if not even more importantly, such a procedure will simplify and improve the implementation cycle time associated with design changes and improvements to existing models that may already be in production and on the market. Additionally, the current certification process imposes complexities related to maintaining and administering the FCC ID numbers that have proven burdensome. The FCC ID numbers would not be required under the DoC program. Replacing the FCC ID requirement with a simple FCC logo is preferred for two reasons. First, a distinctive logo will eventually gain more recognition by end users. Second, manufacturers of UL approved products already use distinctive date coding and model identification for RF lighting devices. Such practices are more than adequate to identify models for traceability purposes should the need ever arise. The FCC logo must appear on the product or the smallest package designed for retail sale.

### **Combining DoC and Verification**

The Commission has requested comments on whether to combine the two procedures in some way. Not all RF lighting devices are supplied with literature amenable to a declaration of conformance statement. Electronic ballasts that are stand-alone devices may only be marketed with a label on the product. They are not typically supplied with any literature. While the Ballast Section of NEMA would support elimination of verification for DoC if such ballasts were exempted from using accredited test

laboratories, we also remind the Commission that such on-product space for marking or declarations is at an all time premium. Space is severely limited by the size of the product. Labeling requirements for wiring diagrams, bar coding, lamp compatibility, manufacturer name and model designations have effectively exhausted the available space.

Such stand-alone RF lighting devices do not present the opportunity to practically or cost effectively add lengthy conformance statements as the Commission may be used to seeing for products that incorporate significant separate documentation booklets, such as personal computers. NEMA Lamp and Ballast manufacturers believe that for products that are currently subject to verification authorization procedures, the proposed FCC logo be accepted as the self declaration of conformity, and that the FCC logo be allowed to be represented by an approximately one-quarter inch letter height for legibility. This would be in keeping with the logo itself representing a declaration to the applicable FCC requirements similar to existing practices for conformance to federal energy minimums (US Department of Energy "circle E" conformance symbol) and the long standing symbols for conformance to safety standards (Underwriters Laboratories UL mark, VDE mark, and the European Union's CE mark.)

This simplified conformance declaration, in the form of the FCC logo, may not be appropriate for some non-RF lighting categories, but NEMA manufacturers urge that it be considered appropriate for RF lighting devices ordinarily subject to verification, particularly given the favorable history of RF lighting devices.

If this type of conformance declaration is accepted by the Commission, NEMA ballast manufacturers would support a DoC approach with exemption from using accredited test laboratories.

### **Equivalency of Literature with Packaging for DoC**

The Lamp Section of NEMA requests that the Commission allow declaration statements for RF lighting devices that are intended to replace screw-in type incandescent lamps to be located on the individual product package rather than as part of included literature, since space for labeling on this class of products is even more severely limited than in the stand-alone ballast situation. In most cases such products (commonly represented by compact fluorescent lamps (CFLs) as an example) do not come with inserts or included literature but rather locate all user information on the package. While we can see the merit of requiring a declaration of conformance to be added to an instruction manual or booklet shipped with a PC or printer, we must point out to the Commission that RF lighting devices designed to function as "light bulbs" are packaged and sold in a manner that seeks to minimize or avoid separate documentation materials or literature "inserts".

For products typically subject to certification under current Rules, NEMA Lamp manufacturers request that a very abbreviated statement of conformance be acceptable and

that it be allowed to be placed on the product package. An example of such an abbreviated statement would be: " Complies with FCC Part 18 " .

Thus, for products normally subject to certification, minimum requirements for the DoC would be placement of the FCC logo on the product and use of an abbreviated conformance statement on the package.

### **Test Samples at Commission Request for DoC Products**

We agree in general with the Commission's proposal to require that test samples of DoC products be made available upon request and in a reasonably short time if requested. While 14 days is generally reasonable we urge that the Commission adopt language that allows for dialogue and flexibility in the event that such a request cannot be honored in a 14 day window providing that the manufacturer notify the Commission promptly as to the nature of the difficulty and when such test samples could be expected.

### **Informational Requirements**

The Commission has indicated in its Proposed Rulemaking that experience with RF lighting devices has been good, and that this product category has not been a source of interference concerns.

NEMA Lamp and Ballast manufacturers agree, and are proud of the fact that this product category has resulted in the savings of considerable energy for the nation compared to older, less innovative products. NEMA manufacturers have worked hard to ensure that potential interference issues do not prevent or reduce the acceptance of these products in the marketplace.

Although not specifically part of this Proposed Rulemaking, NEMA Lamp and Ballast manufacturers propose that the Commission consider reviewing whether additional deregulation regarding the informational requirements contained in 47CFR Ch. 1, Part 18, Paragraph 18.213, **Information to the user**, are warranted for RF lighting devices. RF lighting devices are no longer the very new entry into the market that they represented a decade ago. Many millions have been sold over that period in residential, commercial, and industrial applications. NEMA Lamp and Ballast manufacturers propose that the Commission strongly consider eliminating the informational requirements contained in Paragraph 18.213 of Part 18 for RF lighting devices and in light of a demonstrated lack of interference with such devices over the past decade.

NEMA manufacturers also point out that it is becoming increasingly difficult to comply with these requirements in some situations since RF lighting devices are becoming imbedded in other products, such as home and office furniture and hard-wired permanently installed lighting fixtures. It is not clear how in such situations the

requirements in Paragraph 18.213 of Part 18 can be practically implemented in a meaningful manner for many end users. NEMA Lamp and Ballast manufacturers suggest that perhaps the relevancy of such requirements has passed. In the very least, manufacturers would welcome a chance to minimize the burdens imposed by Paragraph 18.213 of Part 18 to the minimum possible, and feel that such a review by the Commission is in keeping with the spirit contained in this current Proposed Rulemaking. NEMA Lamp and Ballast manufacturers are prepared to assist the Commission in undertaking such an effort.

### **Conclusion**

The NEMA Lamp and Ballast Sections express their appreciation for the opportunity to comment on this Proposed Rulemaking, and stand ready to discuss any of its comments in more detail if that would be of assistance to the Commission or FCC staff in this matter. Please feel free to contact me (703) 841-3251 or Lake Coulson (703) 841-3245.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Wilson", with a long horizontal flourish extending to the right.